

**IN THE WESTERN DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
ST. JOSEPH DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 15-06004-01-17-CR-SJ-DGK
)	
)	
JOSHUA KEITH BOWERS, et al.)	
)	
Defendants.)	

MOTION FOR RETURN TO STATE CUSTODY

COMES NOW Defendant Jason Lee Kirtley, by counsel, Nicole Forsythe, and moves the Court to order his return to state custody to receive substance abuse treatment and upon completion of such treatment, facilitate his release on parole. Mr. Kirtley further waives any rights he may have under 18 U.S.C. app 2, Interstate Agreement on Detainers, to remain housed locally during the pendency of this case. Mr. Kirtley offers the following in support of this request:

1. On July 7, 2015 Mr. Kirtley was charged by Secret Superseding Indictment with Conspiracy to Distribute 500 Grams or More of Methamphetamine in the above referenced case number.
2. Mr. Kirtley is in federal custody pursuant to a Writ of Habeas Corpus ad prosequendum and is housed in a facility in Cauldwell County, Missouri.
3. Mr. Kirtley is eligible for a substance abuse treatment program at the Western Reception Diagnostic Correctional Center in St. Joseph, Missouri.

4. Pending successful completion of the substance abuse treatment program Mr. Kirtley shall be eligible for release on parole from state custody.

5. Bruce Rhoades, Assistant U.S. Attorney, has no objection to Mr. Kirtley's return to the state provided he waives any rights under the Interstate Agreement on Detainers.

6. Mr. Kirtley, with the advice of counsel, voluntarily waives his rights, if any, under the Interstate Agreement on Detainers, including the Anti-Shuttling provision, as well as any right he may have to remain in federal custody during the pendency of this case.

7. Mr. Kirtley further acknowledges that upon his release on parole that he will be returned to federal custody for a detention hearing.

WHEREFORE, Mr. Kirtley moves this Court to accept his waiver of rights, if any, under the Interstate Agreement on Detainers, and order the U.S. Marshal to return him to state custody.

Respectfully submitted,

/s/Nicole Forsythe

Nicole Forsythe, MO #61633

1101 Walnut St., Suite 102

Kansas City, MO 64106

816-730-9120

816-474-8989 (fax)

Nicole@ForsytheLawOffice.com

ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was delivered on September 29, 2015 to the CM/ECF system of the United States District Court for the Western District of Missouri for electronic delivery to all counsel of record.

/s/Nicole Forsythe